

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Heinz-Josef LENZ, et al.

Title: GENOMIC POLYMORPHISM FOR

PREDICTING THERAPEUTIC

RESPONSE

Appl. No.: 09/715,764

Filing Date: 11/15/2000

Examiner: Sitton, Jehanne Souaya

Art Unit: 1634

Conf. No.: 7045

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

04/18/2007 WASFAW1 00000022 09715764

02 FC:1806

180.00 OP

Sir or Madam:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56.

A copy of each non-patent document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(c), before the mailing date of either a final action under 37 CFR §1.113, a notice of allowance under 37 CFR §1.311, or an action that otherwise closes prosecution in the application.

RELEVANCE OF EACH DOCUMENT

All of the documents are in English.

Applicants respectfully request that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

FEE

A fee in connection with submission of a supplemental information disclosure statement under 37 CFR §1.97(c) in the amount of \$180.00 in accordance with 37 CFR §1.17(p) is attached.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Respectfully submitted,

FOLEY & LARDNER LLP

Customer Number: 38706

Telephone:

(650) 251-1129

Facsimile:

(650) 856-3710

Antoinette F. Konski Attorney for Applicant

Registration No. 34,202

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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OIPE	O P E Substitute for form 1449B/PTO			Complete if Known		
1 16	RORMATION DISC	CLOSURE	Application Number	09/715,764		
	TATEMENT BY AF	PLICANT	Filing Date	11/15/2000		
APR 1 7 2007	APR 1 7 2007 Date Submitted: April 12, 2007			Heinz-Josef LENZ		
79	ace Submitted: Apri	11 12, 2007	Group Art Unit	1634		
P. (168)	as many sheets a	s necessary)	Examiner Name	Sitton, Jehanne Souaya		
SHEADEMARK	1	of 2	Attorney Docket Number	064189-0201		

	U.S. PATENT DOCUMENTS						
Examiner Cite No.1		U.S. Patent Document			Date of Publication of	Pages, Columns, Lines, Where Relevant	
	No.1	Number	Kind Code ² (if known)	Name of Patentee or Applicant of Cited Document	Cited Document MM-DD-YYYY	Passages or Relevant Figures Appear	
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U.S. PATENT APPLICATION DOCUMENTS							
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	No.1	Serial Number	Kind Code ² (if known)	Cited Document	Cited Document MM-DD-YYYY	Passages or Relevant Figures Appear	

FOREIGN PATENT DOCUMENTS									
Examiner Initials*	Cite No.1	Fore Office ³	eign Patent D Number ⁴	ocument Kind Co (if knov	ode ⁵	Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Т ⁶
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Examiner Signature	Date Considered	

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form 1449B/PTO	Complete if Known		
INFORMATION DISCLOSURE	Application Number	09/715,764	
APR 1 7 2007	Filing Date	11/15/2000	
APR 1 7 2007 Date Submitted: April 12, 2007	First Named Inventor	Heinz-Josef LENZ	
Date Submitted. April 12, 2007	Group Art Unit	1634	
(use as many sheets as necessary)	Examiner Name	Sitton, Jehanne Souaya	
Sheet 2 of 2	Attorney Docket Number	064189-0201	

NON PATENT LITERATURE DOCUMENTS								
Examiner Initials*	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.						
	1	DANENBERG, PETER V., "Pharmacogenomics of Thymidylate Synthase in Cancer Treatment," Frontiers in Bioscience 9, pgs. 2484-2494, September 1, 2004.						
	2	KAWAKAMI et al., "Polymorphic Tandem Repeats in the Thymidylate Synthase Gene is Associated with its Protein Expression in Human Gastrointestinal Cancers," Anticancer Research 19, pgs. 3249-3252, 1999.						
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Examiner	Date	
Signature	 Considered	

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